

PTO/SB/30 (8/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 6, 1995. See the American Inventors Protection Act of 1999 (AIPA).

Application Number 09/836,627*Filing Date* 04/17/2001*First Named Inventor* Robert A. Scott et al.*Group Art Unit* 1615*Examiner Name* Liliana Di Nola-Baron*Attorney Docket Number* 6514-11-BHJ

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/28) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Off. 47 (Apr. 11, 2000), which established RCE Practice.

1. Submission required under 37 C.F.R. § 1.114.

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0455
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Kenneth G. Lemke	Registration No. (Attorney / Agent)	47,746
Signature	<i>Kenneth G. Lemke</i>	Date	June 4, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Via facsimile to the U.S.P.T.O. (703) 872-9306**.

Name (Print / Type)	Kenneth G. Lemke
Signature	<i>Kenneth G. Lemke</i>
Date	June 4, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)				Docket No. 6514-11-BHJ
In Re Application Of: Robert A. Scott et al.				
Serial No.	Filing Date	Examiner	Group Art Unit	
09/836,627	04/17/2001	Liliana Di Nola-Baron	1615	
Invention: ENTERIC AND COLONIC DELIVERY USING HPMC CAPSULES				
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>				
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of _____ above-identified application.				
The requested extension is as follows (check time period desired):				
<input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months				
from: <u>March 6, 2004</u> <i>Date</i>		until: <u>June 6, 2004</u> <i>Date</i>		
The fee for the extension of time is <u>\$930</u> and is to be paid as follows:				
<input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-0455 A duplicate copy of this sheet is enclosed.				
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 23-0455 A duplicate copy of this sheet is enclosed.				
 <i>Signature</i>				
Dated: <u>June 4, 2004</u>				
<div style="border: 1px solid black; padding: 5px; background-color: white;"> I certify that this document and fee is being deposited via facsimile with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, to the U.S.P.T.O. (703) 372-9306 on June 4, 2004. </div>				
 <i>Signature of Person Mailing Correspondence</i>				
<u>Kenneth G. Lemke</u> <i>Typed or Printed Name of Person Mailing Correspondence</i>				

CC

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